



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF CONNECTICUT ) Order No. 8258  
 )  
VS. )  
 )  
MALLACE INDUSTRIES CORPORATION )

CONSENT ORDER

A. With the agreement of Mallace Industries Corporation ("Company") doing business as ("dba") American Coated Products, the Commissioner of the Department of Environmental Protection ("Commissioner") finds the following:

1. Mallace Industries Corporation is a corporation that manufactures coated stencil tissue and mimeograph forms. They are located at 2 Heritage Road, Clinton, Connecticut ("facility").
2. At the facility, Mallace Industries Corporation operates surface coating equipment ("equipment") subject to the Regulations of Connecticut State Agencies ("Regulations").
3. On January 22, 1988, Mallace Industries Corporation purchased American Coated Products. On December 5, 1988, Mallace Industries Corporation purchased the assets of Diagraph Corporation, which included the business and facility, Frismar, Inc of Clinton. In December 1990, the company dba American Coated Products was moved to the facility.
4. On October 17, 1983, the Commissioner issued State Order No. 775A to Frismar, Inc., requiring compliance with §22a-174-20(q) of the Regulations concerning Volatile Organic Compound ("VOC") emissions from paper coating operations at the facility.
5. State Order No. 775A addressed VOC emissions from the facility's two paper coating operations, a KCA dryer (Coater #1) and an AER-Overly dryer (Coater #2).
6. For Coater #2, Frismar, Inc. installed an inert atmosphere solvent recovery system, completed material balance calculations and has demonstrated compliance with the §22a-174-20(q) emission limitations.
7. For Coater #1, the Commissioner determined that compliance with the emission limitations of §22a-174-20(q) was not technically or economically feasible.

Therefore, Frismar, Inc was allowed to comply with §22a-174-20(q) under §22a-174-20(cc) of the Regulations, which permits alternative emission reductions that are of equal or greater emission reductions than would otherwise be obtained through compliance with the prescribed §22a-174-20(q) emission limitations.

8. On December 27, 1984, Frismar submitted an Alternative Emission Reduction Plan ('AERP") pursuant to §22a-174-20(cc) since Reasonably Available Control Technology ("RACT") was not technically feasible. Additional information was submitted in correspondence dated June 10, 1986, which updated the original AERP.
9. On October 19, 1987, Frismar was issued State Order #8001. This Order incorporated the AERP submitted, and defined the AERP as an Alternative RACT. On November 28, 1989, United States Environmental Protection Agency ("EPA") approved State Order #8001 as a revision to the Connecticut's State Implementation Plan ("SIP").
10. State Order #8001 issued to Frismar on October 19, 1987 superseded State Order #775A.
11. Mallace Industries Corporation will be operating Coater #1 and Coater #2 in the same manner as Frismar and therefore will also need an enforceable means to comply with §22a-174-20(q).
12. Mallace Industries Corporation consents to the entry of this Order of the Commissioner pursuant and required by §22a-174-20(cc)(2) of the Regulations and agrees to adhere to the terms and conditions of the Alternative RACT defined by this document and further acknowledges required approval by the EPA as a revision to the Connecticut's SIP.
13. This order supersedes State Order #8001 issued to Frismar, Inc. on October 19, 1987 and approved by the EPA on November 28, 1989.

B. With the agreement of Mallace Industries Corporation dba American Coated Products, the Commissioner, pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders the Company to comply with the terms of the approved Alternative RACT as follows:

1. The following conditions apply to the operation of the Company's surface coating equipment until such time as this order may be amended or otherwise altered in a manner approved by the Commissioner. Any such modifications shall be submitted to EPA as a SIP revision. These conditions apply to the operation of Coater #1 and Coater #2 immediately upon the effective date of this Order.
2. The Company shall comply with the Coater #1 conditions contained in this Order which are based on those portions of the Alternative RACT as initially submitted on December 27, 1984, and updated, in correspondence dated June 10, 1986, with specific limitations and requirements for Coater #1, restricting VOC emissions.

3. Coater #2 shall continue to demonstrate compliance with the §22a-174-20(q) emission limit of 2.9 pounds of VOC /gallon of coating through operation of a solvent recovery system.
4. Coater #2 shall operate only with the Inert-Atmosphere Solvent Recovery System (“System”) fully functional and demonstrating a minimum ninety-three percent (93%) total recovery efficiency.
5. Mallace Industries shall maintain and operate Coater #2’s System as specified in the manufacturer’s operating manual. Mallace Industries shall install and operate all necessary monitoring equipment to ensure that the required 93 percent total recovery efficiency is being achieved at all times. Mallace Industries shall maintain the following records for a period of not less than 5 years, to be made available to the Commissioner upon request:
  - (a) Records of periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.
  - (b) A log of operating time for the System and monitoring equipment.
  - (c) A maintenance log for the System detailing all routine and non-routine maintenance performed including dates and duration of any outages.

6. Maximum allowable emissions of VOCs for Coater #2 shall be as follows:

Annual Basis:	15.0	tons
Monthly Basis:	1.33	tons
Daily Basis:	200.0	lbs.

These emission rates correspond to a coating speed of 65 FPM, 3900 linear feet per hour. Maximum VOC emissions are 3.6-lbs./ ream (1 ream is equivalent to 3000 square feet).

7. Coater #1 is approved to operate subject to the following conditions:
  - (a) Maximum daily VOC emission rate of 918 lbs.
  - (b) Maximum monthly VOC emission rate of 2.833 tons (determined on the basis of either a monthly emission rate or the average of any two consecutive monthly periods i.e. a rolling average as allowed by the AERP).

- (c) Maximum annual VOC emission rate of 34 tons.
  - (d) Maximum continuous VOC emission rate of 5.32 pounds VOC/ gallon of coating (minus water and photochemically non-reactive solvents) for all first-pass coatings and a maximum continuous VOC emission rate of 6.42 pounds VOC/ gallon of coating (minus water and photochemically non-reactive solvents) for all second pass coatings. Additionally, all second-pass coatings will be limited to an emission rate of 20 pounds of VOC/ ream (3000 square feet) of material coated. (A first pass coating is defined as any coating applied to an uncoated substrate either to produce a final product, or an intermediate product that will be further coated. A second-pass coating is defined as a coating applied to a previously coated substrate to produce a final product). If the Company replaces or reformulates any coatings used on Coater #1, the new coating must emit no more VOC per gallon of coating than the coating it replaces.
8. For Coater #2, Material balance testing shall be conducted according to the protocol outlined in Paragraph B.9 and then repeated every three years to determine the total recovery efficiency of the solvent recovery system. The duration of any individual material balance test shall not exceed twelve (12) hours of operation and shall not be conducted for any less than one hour in length.
9. Emissions testing. Except as otherwise provided in this consent order or by the Commissioner in writing, all emissions testing required under this consent order shall be conducted and reported as follows: Within 30 days after issuance of this consent order, Mallace Industries shall submit to the Commissioner for the Commissioner's review and written approval an Intent To Test ("ITT") protocol for such emissions testing. The ITT protocol shall include at least:
- (a) The Department's Bureau of Air Management Test Form No. 1, "Intent to Test";
  - (b) A detailed description of all aspects of facility operations (e.g., type and quantity of raw materials utilized) and of any air pollutant control equipment in use (e.g., screen mesh size, control equipment efficiency) which may affect emissions testing results, and how and when such information will be monitored;
  - (c) A detailed description of each emissions testing methodology to be utilized, provided that all such methodologies shall conform to those approved by the U.S. Environmental Protection Agency and the commissioner; and
  - (d) A description of each discharge point at which emissions testing is to

be conducted.

10. The Company shall provide to the Commissioner any information that the Commissioner deems necessary to review the ITT protocol. Within 60 days after the Commissioner approves an ITT protocol, the Company shall complete emissions testing in accordance therewith. The Company shall schedule all emissions testing so as to allow the Commissioner to be present during such testing and to independently verify relevant facility operations, air pollution control equipment parameters, and testing procedures. Within 30 days after completing any emissions testing required by this consent order, the Company shall submit to the Commissioner a written report providing the results of such testing; within 15 days of a notice from the Commissioner indicating any deficiencies in such report, the Company shall submit a revised report.
11. Thereafter, the Company shall submit an ITT at least 120 days prior to the third anniversary date of the last approved test for the solvent recovery system for Coater #2.
12. If at any time the Company installs or intends to install control equipment on Coater #1, the Company shall notify the Commissioner and the Commissioner may revise the consent order to include the appropriate emission limits, testing, monitoring, and record keeping requirements pursuant to Regulations and then submit the above modifications to the EPA as a SIP revision.
13. For the purposes of this order; "daily" shall be defined as that twenty-four (24) hour period from midnight to midnight; "monthly" shall be defined as a calendar month; "annual" shall be defined as January 1 through December 31.
14. A master list of all coatings shall be maintained and submitted upon request. Any changes in VOC content, coverage rates and added VOC shall be noted in the master list upon occurrence and reported to the Department annually in the form of a completed updated master list. Any increase in the VOC content of any coating shall be reported to Department within 10 days after occurrence. In addition to the records and reports noted by this Order, nonsubstantive changes to the Alternative Emissions Reduction Plan shall be reported by June 1, 1988 and on a yearly basis from that time on. In no event shall any change result in an exceedance of any allowable emission limit.
15. All coatings used at the facility shall be either tested using 40 CFR Part 60 Appendix A Method 24 or the facility shall retain sufficient records for prima facie evidence in support of demonstrating compliance with the VOC emission limits contained in this order. In the event of any inconsistency between an EPA Method 24 test and the facility's formulation data, that is, if the EPA Method 24 is higher, the EPA Method 24 test shall govern.

16. Failure to demonstrate continued compliance with the proposals and requirements of the paragraphs and conditions set forth in this Order shall constitute a violation of the Regulations and shall subject the Company to further enforcement action.
17. The terms and conditions of this plan shall be in effect at all times that the subject equipment is in operation. The daily emission limit commences with the first Monday following the effective date of this order. The annual record keeping provisions shall correspond to that period of time represented by January 1 through December 31.
18. Record Keeping. The Company shall make and keep such records that are necessary to reliably calculate actual daily, monthly and annual emissions of VOCs from the premises. The Company shall keep each record required by this subsection at the premises for five years after the date that such record is made. Such records shall be available for the Commissioner's inspection upon demand and be created for each day, calendar month or calendar year, as specified below, and shall at least include the following:
  - a) Monthly Purchase records for all materials, which are used or stored at such premises that contain VOCs.
  - b) The total amount of product in terms of linear feet produced during each day by each emissions unit that resulted in the emissions of VOCs.
  - c) The measured solid percentage by weight of each batch of each formula used in a given day.
  - d) The measured weight in grams of each coated sample tissue taken for each product in a given day.
  - e) The measured coating density of each batch of each formula used in a given day.
  - f) Daily VOC emissions that are calculated using data collected pursuant to subparagraphs 18.b, 18.c, 18.d and 18.e of this Consent Order and are recorded on specific record keeping forms, which are noted as Mallace Industries Corporation submissions dated May 27, 2005.
  - g) For Coater #1, the calculated VOC emission rate in terms of lbs VOC per gallon of coating based on measurements collected pursuant to subparagraphs 18.c and 18.e of this Consent Order and the corresponding coating category (i.e. first pass or second pass) for each coating formula used in a given day.

- h) For all second-pass coatings used in Coater #1, the calculated VOC emission rate in terms of VOC lbs per ream of product produced based on measurements collected pursuant to subparagraphs 18.c, 18.d and 18.e of this Consent Order for a each formula used on a given day.
- i) The total quantity of VOC emissions from each emissions unit and for the premises for each day, month, and year expressed in pounds and in tons.
- j) Maintain formulation calculation sheets that calculate the daily emission limits of VOCs per linear feet of product and VOCs per ream of product for each coating formula for each emissions unit.
- k) Maintain formulation calculation sheets that calculate the maximum continuous VOC emission rate in terms of VOC lbs per gallon of coating (minus water and photochemically non-reactive solvents) for each coating formula used in Coater #1. In addition, include the maximum VOC lbs per ream of product for each formula used in Coater #1.
- l) The company shall determine and record the amount of VOCs emitted for the premises on a monthly basis by mass balance calculations.

19. Reporting Requirements. The Company shall submit to the Bureau of Air Management an annual VOC monthly emissions summary based on records collected pursuant to paragraph B.18 for each emissions unit and for the premises, on or before January 30th of every calendar year. The reports shall be sent to the address in paragraph B.36.
20. Calculations sheets created pursuant to paragraph B.18(j) and B.18(k) shall be submitted with the annual report submitted pursuant to paragraph B.19. If the Company changes or adds coatings, formulations and/or substrates, new calculations shall be performed and submitted to the Commissioner in writing within thirty days after such a change occurs.
21. Compliance with terms of this Order does not excuse the Company from complying with any future source-specific VOC reduction requirements nor does it excuse the Company from complying with the requirements of §22a-174-29 of the regulations concerning Hazardous Air Pollutants.
22. Full compliance. The Company shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.
23. Approvals. The Company shall use best efforts to submit to the Commissioner all

documents required by this consent order in a complete and approvable form. If the Commissioner notifies the Company that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Company shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.

24. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
25. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
26. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by or, if Mallace Industries is not an individual, by Mallace Industries's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and Mallace Industries or Mallace Industries's chief executive officer and each such individual shall certify in writing as follows:
- "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."
27. Noncompliance. This consent order is a final order of the Commissioner with respect



to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this consent order may subject the Company to an injunction and penalties.

28. False statements. Any false statement in any information submitted pursuant to this consent order is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
29. Notice of transfer; liability of Mallace Industries. Until the Company has fully complied with this consent order, the Company shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. Mallace Industries's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.
30. Mallace Industries's obligations under law. Nothing in this consent order shall relieve the Company of other obligations under applicable federal, state and local law.
31. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by the Company pursuant to this consent order will result in compliance or prevent or abate pollution.
32. Access to facility. Any representative of the Department of Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
33. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.
34. Notice to Commissioner of changes. Within 15 days of the date the Company becomes aware of a change in any information submitted to the Commissioner under this consent order, or that any such information was inaccurate or misleading or that any relevant information was omitted, The Company shall submit the correct or omitted information to the Commissioner.
35. Notification of noncompliance. In the event that the Company becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, The Company shall immediately notify by telephone the Bureau of Air Management Unit identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, the Company shall submit in writing the date, time, and duration of the noncompliance and the reasons for the

noncompliance or delay and propose for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Company shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Company shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay.

36. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

Compliance Analysis and Coordination Unit  
Compliance and Field Operations  
Bureau of Air Management  
Department of Environmental Protection  
79 Elm Street, 5<sup>th</sup> floor  
Hartford, Connecticut 06106-5127

Mallace Industries consents to the issuance of this Consent Order without further notice. The undersigned certifies that he/she is fully authorized to enter into this Consent Order and to legally bind Mallace Industries to the terms and conditions of this Consent Order.

Mallace Industries Corporation

Signature: Mark F. Bertelsen

Print: MARK F. BERTELSEN

Title: CEO

Date: 9-1-05

Issued as an order of the Commissioner of Environmental Protection.

Gina McCarthy  
Gina McCarthy  
Commissioner

9/13/05  
Date

TOWN OF CLINTON  
LAND RECORDS  
MAILED CERTIFIED MAIL,  
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GM/am